

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

JANICE A. JONES,)
Plaintiff)
vs.) Case No. 2:08-cv-02082-HGD
CHRISTOPHER HUTCHISON, et al.,)))
Defendants))

ORDER

On December 18, 2008, the magistrate judge's report and recommendation was entered and the parties were allowed therein eleven (11) days in which to file objections to the recommendations made by the magistrate judge. No objections have been filed by either the plaintiff or the defendants.

After careful consideration of the record in this case and the magistrate judge's report and recommendation, the court hereby ADOPTS the report of the magistrate judge. The court further ACCEPTS the recommendations of the magistrate judge, and it is, therefore,

ORDERED, ADJUDGED and DECREED that plaintiff's claims in this action against the City of Birmingham Police Department and Christopher Hutchison, in his

official capacity, are due to be and hereby are DISMISSED for failing to state a claim upon which relief can be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and/or (iii). The City of Birmingham Police Department is DISMISSED as a defendant from this action.

Done this 16th day of January 2009.

UNITED STATES DESTRICT JUDGE

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